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Michael Kasolas

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA

In re:

ADAM M. BLANFORD and
JULIE A. BLANFORD,

Debtors.

CASE NO. 09-45002-C-7

D.C. NO. BHS-1

**MOTION FOR SALE OF
ESTATE'S INTEREST IN A
1998 FORD JAMBOREE
MOTOR HOME**

DATE: February 1, 2011
TIME: 9:30 a.m.
DEPT: C; COURTROOM 35
Hon. Christopher M. Klein

Michael Kasolas, duly appointed Chapter 7 Trustee (hereafter the "Trustee") in the above-captioned matter, through his counsel, Barry H. Spitzer, moves this Court for authority to sell the Estate's interest in the Debtors 1998 Ford Jamboree Motor home with approximately 48,000 miles (VIN 1FDWE30S8WHA51136) (hereinafter, "Subject Property"), subject to the existing liens and encumbrances, if any, pursuant to the provisions of section 363(b) of the Bankruptcy Code to the Debtors for \$4,000.00 "as-is" and "where-is" with no warranties. The Motor home is valued by the Debtors at \$10,026.00 and they exempted \$2,510.00 under California Code of Civil Procedure, section 703.140(b)(5). In support of his Motion, the Trustee states the following:

1. That the Debtors filed a Chapter 7 petition on November 14, 2009 and Movant was appointed as the Chapter 7 trustee of the estate of the above-named Debtors that day.

1 2. That the Debtors listed the fair market value of the Subject Property as
2 \$10,026.00. The Trustee does not believe the Subject Property has any secured claims
3 against it. The Debtors have exempted \$2,510.00 of the Subject Property.

4 3. The Trustee wishes to sell the estate's interest in the Subject Property "as-is"
5 and "where-is" with no warranties to the Debtors for \$4,000.00, which has already been
6 paid to the Trustee. The Trustee believes it is in the best interest of the estate to sell the
7 estate's interest in the Subject Property to the Debtors for \$4,000.00.

8 4. The Trustee requests that the Court only approve overbids presented at the
9 hearing that meet the following criteria:

10 (a) Overbidding shall start at \$6,710.00 (\$4,000.00 plus \$2,510.00 for the
11 Debtors exemption plus \$200.00 minimum overbid). The overbids shall be in minimum
12 \$200.00 increments.

13 (b) To qualify as a bidder, the bidder must bring to the Court a Cashier's
14 Check or a certified check for \$6,710.00. This Cashier's or certified check shall serve as
15 a non-refundable deposit if the overbid is successful.

16 (c) The successful overbidder must deliver to the Trustee a Cashier's or
17 certified check for the overbid amount within 48 hours of Court approval of the sale.

18 5. The Trustee seeks authority to execute any and all additional conveyances,
19 assignments, schedules and other documents as may be necessary to consummate this
20 sale.

21 6. The Trustee further seeks a waiver of the fourteen day waiting period
22 imposed by Federal Rule of Bankruptcy Procedure, Rule 6004(h).


23 WHEREFORE, Michael Kasolas respectfully requests he be authorized to sell to the
24 Debtors the estate's interest in the Debtors 1998 Ford Jamboree Motor home with
25 approximately 48,000 miles (VIN 1FDWE30S8WHA51136) for \$4,000.00, subject to the
26 existing liens and encumbrances, if any, pursuant to the provisions of section 363(b) of the
27 Bankruptcy Code; and authority to execute any and all additional conveyances,
28 assignments, schedules and other documents as may be necessary to consummate this

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2 sale. The Trustee further seeks a waiver of the fourteen day waiting period imposed by
3 Federal Rule of Bankruptcy Procedure, Rule 6004(h).

4 Respectfully submitted,

5 DATED: January 5, 2011

6 LAW OFFICE OF BARRY H. SPITZER

7 By: 
8 BARRY H. SPITZER
9 Attorneys for Michael Kasolas,
10 Chapter 7 Trustee

11 VERIFICATION

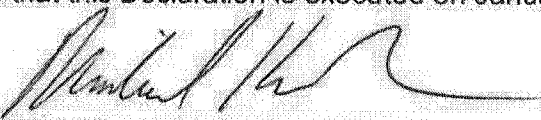
12 I, Michael Kasolas, hereby declare:

13 1. I am the duly appointed Trustee in the above-entitled Estate.

14 2. I have personal knowledge of the facts stated herein and if called as a
15 witness, I could and would testify competently thereto.

16 3. I believe it is in the best interest of the estate to sell the estate's interest in
17 the Subject Property to the Debtors for a sales price of \$4,000.00. The proposed
18 purchase price is the highest value the property will bring the estate. The sale will allow
19 for the orderly liquidation of the estate.

20 I declare under penalty of perjury under the laws of the State of California that
21 the foregoing is true and correct and that this Declaration is executed on January 5,
22 2011 at San Francisco, California.

23 
24 Michael Kasolas, Trustee